

KIDD JURY TAKES CASE OVERNIGHT

No Verdict Agreed On After Deliberating for Three Hours.

ONE JUROR WANTS EVIDENCE READ

Asked Court if Stenographic Record Could Be Secured, and Certain Testimony May Be Repeated To-Day—More Time Desired—Mistrial May Result.

After being out for three hours without reaching a verdict, the Henry County Circuit Court jury, which has been hearing evidence against Leo Kidd for a capital offense, was locked up at 6:30 o'clock last night, court having adjourned until 10 o'clock this morning, when further effort will be made to agree. Argument in the case was closed at 3 o'clock yesterday afternoon, but at that time a recess was ordered for dinner. The jury went to its room at 3:30.

At 6:30 o'clock last night Judge Scott sent for the jury. He was informed that no verdict had been agreed upon. Wanted to See Record. One juror asked the court if they could have the stenographic report of the evidence. Judge Scott stated that the notes had not been transcribed, but if the jury wanted to hear any part of the evidence he could have John G. Winston, the stenographer, called and he could read it in open court in the presence of counsel. It is probable that this may be done to-day. In view of the jury's apparent desire for further time, court was adjourned, and the jury was locked up at the Lexington Hotel overnight.

It was impossible, of course, to surmise the result, although, as in most cases where a jury has been out for three hours without formulating a verdict, the impression got abroad that the case would result in a mistrial.

The hours of suspense seemed to tell upon Kidd, who sat in court and who has been there for three days while the hearing was under way. He showed plainly his disappointment when the first two hours passed without a verdict.

Penalty Provided by Law. If convicted for the crime charged against him he can be sentenced to the penitentiary for a term of from one to twenty years, though if the jury elects it can sentence him to death.

For four hours earlier in the day the prisoner had been forced to listen to a terrible arraignment by the prosecuting attorneys, Frank T. Sutton, Jr., and Haskins Hobson. On top of this came Judge Scott's charge to the jury, in the course of which the penalty as provided by law was made clear. All day he sat in the dock between his mother and brother, with his counsel, Louis O. Wendenburg, sitting just in front of him. The three strove to keep his spirits up, and he controlled his emotions admirably.

Court convened at 10 o'clock yesterday morning, and Judge Scott immediately delivered the charge to the jury. Haskins Hobson, Commonwealth's attorney of Chesterfield County, who is associated with the prosecution, began the opening argument and was followed by L. O. Wendenburg, counsel for the defense. Frank T. Sutton, Jr., Commonwealth's attorney of Henrico, closed the arguments. The addresses of counsel were striking examples of appeals to the jury and made a deep impression upon the crowded courtroom.

The testimony in the case has been of an unusually repulsive character, as made plain by Judge Scott's order that the courtroom be cleared of all persons not immediately connected with it. Many witnesses, male and female, called to sustain or attack the character of other witnesses, were themselves subjected to unmerciful assaults in cross-examination.

Lenora Austin, the girl in the case, testified that an automobile crime was committed on an automobile ride with Kidd September 17, 1911. Kidd admitted having taken the ride, but denied any misconduct. At that time the Austin girl was thirteen years old, her fourteenth birthday coming in December, 1911.

Defense Scores Point. Labor Leader Told Not to Leave Their Guns Behind. Lake Charles, La., October 13.—James W. Rose, a State witness to-day on trial here charged with murder in connection with the Grabow labor suit. The witness testified that he was a member of the union timber workers' association and Carson on the day of the battle, and heard A. T. Emmerson, president of the union, say to two armed men when they were going out to hold a meeting, "Boys, leave your guns behind; we are going out to hold a peaceable meeting."

R. G. Green, a participant in the battle, testified that M. M. Galloway, head instructor of the Galloway Company, had instructed his employees, when he learned that the union men were coming to hold a meeting, to go to their homes unless they wanted to listen to the speeches. Court adjourned until to-morrow after Green's examination.

Natural Gas Explodes. Sixteen Persons Are Injured, One Fatally. Marshall, Texas, October 18.—Sixteen persons were injured, one perhaps fatally, and four small business houses were wrecked here to-day as a result of an explosion of natural gas. A lightning match held near a grating communicated with a gas-filled cellar in one of the structures and caused the explosion.

Six persons were taken from the ruins to the hospital, but one of whom, E. C. Standiford, a painter, is believed to be fatally hurt. Ten others received slight wounds.

DOVER LAYS BARE SOURCE OF FUNDS

He Tells Where Republicans Got Their Money in 1904.

LIST OF DONORS AN IMPOSING ONE

Standard Oil Group Contributes Generously to G. O. P., Total of \$2,380,018 Being Garnered. McCormick Attacks "Character Assassins and Liars Like Mr. Hilles."

Washington, D. C., October 18.—For the first time since its investigation began the Senate campaign funds committee to-day obtained a copy of a list of contributors to the much-disputed 1904 Republican campaign fund. Elmer Dover, who was secretary of the 1904 Republican Committee, put the list in evidence, saying it had been copied from the private memorandum book of the late Cornelius N. Bliss, treasurer of the committee. He told the investigators he believed that in many instances the list was inaccurate and ambiguous, owing to typographical errors.

The list totaled \$2,380,018 and showed practically all of the contributions to the 1904 fund which have been mentioned in the committee's investigation. The list credited J. P. Morgan & Co. with two contributions, one of \$100,000 and one of \$50,000. A contribution of \$100,000 appeared on the list from "H. H. R." and "J. D. W." Mr. Dover told the committee he supposed the "H. H. R." stood for H. H. Rogers, of the Standard Oil Company, and that the "J. D. W." was an error for John D. Archibald or John D. Rockefeller. E. H. Harriman was credited with \$150,000 in two contributions. George W. Perkins appeared as giving \$35,000 in two contributions, and the following entries were on the list: "G. W. P., \$25,000"; "G. W. P., \$100,000"; and "G. W. P., committee, \$100,000."

There was still another entry, "D. W. F., committee, \$100,000." The contribution of \$200,000 each credited to "C. N. Bliss for P. R." were on this list. George J. Gould appeared as giving \$100,000. Contributions aggregating \$230,000 appeared as follows: J. P. Morgan & Co. (additional), \$50,000; J. H. Hyde, \$50,000; J. N. Sellman, \$5,000; C. N. Bliss, \$5,000; James Stillman, \$10,000; E. H. Harriman, \$5,000; H. C. Frick, \$5,000; D. O. Mills, \$5,000; H. McK. Twombly, \$10,000; G. W. Perkins, \$10,000; Jacob H. Schiff, \$5,000; I. N. Sellman, \$5,000. Several of these contributors had been mentioned before the committee as contributing to the so-called Harriman fund of about \$240,000.

The committee was given a start when Medill McCormick, appearing as the first witness of the day, presented a statement in the course of which he referred to "character assassins and liars like Mr. Hilles—men who, by their falsehoods, incite weak-minded men to actual assassination."

Several members of the committee rose in violent protest against this language, and the committee finally expunged from the record Mr. McCormick's testimony. He was then asked to contribute to the Roosevelt pre-convention campaign in Illinois.

The committee tried in vain to get information as to the campaign contributions of Colonel George Harvey, of Harper's Weekly. He said he knew absolutely nothing of funds collected or of attempts to collect funds or of offers of funds to the Wilson pre-convention campaign. A grueling cross-examination by Senator Oliver failed to shake this statement or to elicit any statement regarding the Harvey-Wilson-Thomas F. Ryan incident.

No Comment From Wilson. New York, October 18.—William Taft, of contributions to the Republican campaign of 1904, as placed in evidence.

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Newsboy's Sacrifice of Leg Costs His Life

Garry, Ind., October 18.—I guess I turned out to be some good, after all, said Bill Rugh this morning. Then he turned his face to the wall and died.

It was Rugh who, a few days ago, submitted to the removal of a withered leg, that material might be provided for a child suffering from cancer that saved the life of a young woman he never had seen.

Physicians said pneumonia was the cause of Rugh's death, but the ailment resulted directly from his self-sacrifice, having been the result of the fever by which he was given his leg when his leg was cut off.

Rugh had no relatives, and since coming to Garry, a tramp, several years ago, had made his living by begging on the streets. The story was told by a woman who had sacrificed her leg and later his life, and been horribly treated in a motorcade accident. It is just a motorcade accident, but recovery advanced sufficiently to permit her removal from the hospital in which Rugh died.

Rugh was buried at Rock Island, Ill., Monday. A public meeting has been called for next Monday night, at which plans will be made for raising money to erect a statue to the memory of the newsboy.

Newsboy Thomas E. Knott found two contributions to-day, one concerning a public funeral over the body of a Union League member, and the other concerning the public meeting for Monday.

Miss Smith, who has not fully recovered from the effects of the fall from a well man and to guard against excitement, his face flushed and his gestures became more vigorous.

WILSON EXPLAINS TARIFF POSITION

Democrats Do Not Propose Anything Approaching Free Trade

COUNTRY DEMANDS PROPER REVISION

Predicts "Forces of Reform Will Be Dominant in Both Houses of Next Congress," and Says Work Must Not Be Blocked by Unsympathetic President.

Pittsburgh, Pa., October 18.—The position of the Democratic party on the tariff was discussed by Governor Wilson in his speech here to-night. He predicted that "the forces of reform will be dominant in both houses" in the next Congress, and declared the election of a President out of sympathy with them would generate uneasiness and discontent. He said in part:

"I welcome the opportunity of stating what I believe to be the well-considered position of the Democratic party with regard to the tariff. The Democratic party does not propose free trade or anything approaching free trade. It proposes merely a reconsideration of the tariff schedules such as will adjust them to actual business conditions and interests of the country. Every observant business man must have realized long ago that tariff schedules were constructed in such a way that business was not upon a par with the United States. They do not constitute a system of well-considered protection. On the contrary, they embody innumerable cunningly devised and carefully concealed special favors, and particular groups of capitalists and manufacturers have taken advantage of the special favors to build monopoly up in a way that is threatening and dangerous to every new and important enterprise."

"It is obvious that the country demands and will sooner or later obtain a thoroughly considered revision of the tariff, and the serious practical question now is when and how shall it be brought about. It is practically out of the question that the Republicans should control the majority of the next House of Representatives; it is evident that those who stand pat on the tariff will not control the next Senate. The forces of reform will be dominant in both houses. To be held at a standstill in such circumstances by a President entirely out of sympathy with Congress will be to generate greater and greater uneasiness, greater and greater restlessness, deeper and deeper discontent."

"In spite of all the obstacles of the existing tariff system and inelastic currency, and uncertainties of politics, commercial and industrial interests of the country are moving forward in an irresistible stream. The argument is put forth therefore, to let well enough alone. The argument would be very impressive if we really thought present conditions are well enough, but we know they are not."

"They constantly involve the influence of monopoly, of manipulation of private control, and even if they were well enough, it is not leaving them alone to elect Mr. Taft President, to hold a restless nation at a standstill for four years and exasperate the very forces which may now, if properly guided and wisely moderated, remove every obstacle to free enterprise and unlimited business expansion."

Cannot Stand Still. "There are more possibilities of panic ensuing upon a bounding prosperity under the present system than there could be under any other, and every dictate of prudence, every instinct of statesmanship ought to point to those early reforms which can be accomplished in good temper by common counsel and in moderate form. We cannot stand still, least of all when the opportunity of unbounded prosperity beckons us on."

"To retain our present embarrassments would be to miss our chance."

Campaign in Bad. Wet weather campaigning brought Governor Wilson a series of merry incidents to-day as he traveled through West Virginia and Western Pennsylvania. Only at Pittsburgh to-night did he speak indoors, but throughout the day the Democratic nominee faced a fabric of umbrellas and hats which stood a multitude of enthusiastic people.

"I don't want to keep you standing in the rain," said the Governor, at Wheeling, as he began to abridge his speech.

"No, no, go on," urged the crowd. "Perhaps I had better make my speech as dry as possible, to counteract the effect of the rain," suggested the nominee.

The Governor found a big turnout everywhere, notwithstanding the drizzle of rain which fell most of the day. He pleaded with the local committee men not to insert any more speeches than were originally scheduled, but was only partly successful.

At Wheeling the nominee was loudly applauded when he said he would not discuss the third party while Colonel Roosevelt was in the hospital. The Governor was saying that there was "a corner of prosperity in the country," and that he had "a very definite notion as to how the whole population of the United States should have access to its own prosperity." He began to discuss the trusts and monopolies then, but stopped short.

"I am a little bit hampered," he said, "in discussing this part of the question, because I have denied myself the privilege at present of discussing anything that concerns the third party."

"As long as Mr. Roosevelt is confined to the hospital in Chicago, I shall have nothing to say about the third party. But I want to say this

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COLONEL RELATES HIS IMPRESSIONS

Gives Account of Happenings After Bullet Found Its Mark.

DID NOT KNOW IF WOUND WAS FATAL

Believed It His Duty to Go Ahead With Speech at Auditorium—Discovery of Bullet Hole in Manuscript He Found "Quite Amusing."

Condition Satisfactory

Chicago, October 18.—Colonel Roosevelt's condition was so satisfactory to-night that it was announced at 11 o'clock that the usual night bulletin of the physicians would not be issued. Dr. W. B. McCallie paid a brief visit to the Colonel and found he was resting easily. The clinical record showed virtually no change.

Chicago, October 18.—The vivid impressions of Colonel Roosevelt when he was shot in Milwaukee were related to-night from the Colonel's own lips. Apparently well on the way to recovery, he was permitted to enjoy a greater degree of freedom, and for the first time he gave an account of the happenings in the first few hours after the bullet found its mark. The Colonel said that on Monday he expected to leave for Oyster Bay, and hoped to be back in the campaign, making speeches again, week after next.

"I feel as lively as a budger," said the Colonel by way of preface. He was sitting in a huge leather chair by a window in Mrs. Roosevelt's room, adjoining his own.

What seemed to impress Colonel Roosevelt most strongly was not the shooting itself—he seemed to accept that as a thing of the past to be dismissed once it was over—but rather his hour on the stage of the Milwaukee auditorium, when he was speaking with a bullet in his side. But he insisted that to make the speech was only what any other man would have done under the circumstances.

"It was nothing—nothing," he said. "I felt a little pain, but it was not severe. When I stretched out my arm or reached for my manuscript it made me gasp a bit, but that was all."

"It was quite amusing," he went on, "when I reached for my manuscript to see that it had a hole in it from the bullet; and there was a hole in my spectacle case, too."

The Colonel chuckled as he recalled the surprise he had felt at his discovery. "Amusing, did you say, Colonel?" asked one of his hearers.

"Well," he qualified, "it was interesting." Colonel Roosevelt showed no indication that he had felt the fear of death. He said he had no means of knowing, as he delivered the speech he had promised to place, whether he was wounded fatally, but accepted as a matter of course that he should go on until he had finished, if his strength held out. But when it was all over and he had turned away to go to the hospital, he said, he found it difficult to keep his temper when half a dozen men scrambled over the edge of the platform and asked him to shake hands.

"They wanted to shake hands," he said, "as if it still surprised him. 'Didn't they know that it is impossible for a man who has just been shot to shake hands with genuine cordiality?' Of the shooting itself, Colonel Roosevelt had little to say. Not once did he mention the name of John Schrank, his assailant. He talked in an unemotional way of being shot, as if he were discussing the case of a man with whom he was not acquainted."

He said he bore no bitterness or rancor. In a dispassionate way, Colonel Roosevelt spoke of his present condition, and speculated upon the chance that he would have blood poisoning or some other serious complications.

"Isn't it a curious thing," he said, "that a little spot on his forehead, near the top of his forehead, indicated how small a spot he meant—'can become infected and set the whole thing back'?"

Then, he said, there was the possibility, the physicians had told him, that pneumonia might develop.

His occasional twinges. The Colonel said he felt no pain at present. He placed his right forefinger carefully on his breast to indicate the position of the wound, and said that while he still had an occasional twinge to remind him of it, he was at ease.

As he talked he moved his arms freely, although he was careful not to move his body. He punctuated his remarks with gestures, but they were not the same vigorous gestures which he is wont to make.

The Colonel still has trouble with his broken rib, he said. His only apparent worry was that the rib would not knit quickly enough to permit him to make a few speeches in the closing days of the campaign.

"If I can get that rib knit so that the edges hold," he said, "and it doesn't pain me to take a deep breath, I hope to make some speeches week after next."

Still in Fighting Mood. As his thoughts turned to the campaign, Colonel Roosevelt's manner changed. Although he had been cautioned not to forget that he was far from a well man and to guard against excitement, his face flushed and his gestures became more vigorous.

"They'll have to be short speeches

Supreme Commander of Turkish Troops



ABDULLAH PASHA.

STORY RULED OUT BY JUSTICE GOFF

"King of Newsboys" Fails to Get His Evidence Before Jury.

BECOMES BELLIGERENT

Defense Had Depended on Him to Uphold Theory of Conspiracy.

New York, October 18.—"Jack" Sullivan, "King of the newsboys," indicted with the four gunmen for the murder of Herman Rosenthal, tried to unfold on the witness stand at today's session of Police Lieutenant Becker's trial, his version of an alleged conspiracy by gamblers to kill Rosenthal and "frame up" Becker for the murder. Through him the defense planned to go far in proving its contention that Becker had nothing to do with the murder, but was himself the victim of conspiracy. But much of Sullivan's story was untold. That part which Justice Goff admitted was based upon testimony already given by Rose, Webber, Vallon and Schepps. Sullivan not only denied portions of their testimony, but declared that after the murder Webber and Rose told him they were going to "frame Becker and turn him over to the district attorney."

They told Sullivan, according to his testimony, that they would "frame Becker, Waldo or the Mayor" if necessary to save their own lives. Sullivan became petulant when Justice Goff narrowed his testimony to contradictions of previous witnesses. Again and again he begged the court to "give me ten minutes to explain this thing." Once he asked for a chance "not only for my sake, but for God's sake."

When John F. McIntyre, chief of Becker's counsel, turned him over to the State for cross-examination Sullivan became belligerent. "Did you ever collect money from disorderly houses?" asked Mr. Moss. "You might as well ask me," Sullivan retorted. "If I ever collected money from Standard Oil or Archibald."

District Attorney Whitman, Becker's prosecutor, virtually was forced on the stand as a witness for the defense immediately after Sullivan had testified. Mr. Whitman said he had made stipulations with Rose, Webber, Vallon and Schepps, the State's chief witnesses against Becker, before they agreed to turn State's evidence. These stipulations were not disclosed, but Mr. Whitman, agreeing to produce them in court, swore that he had not promised the four immunity.

Former District Attorney Jerome and Police Commissioner Waldo preceded Mr. Whitman, but Mr. Jerome was allowed to answer only one question. Mr. Waldo testified that he, and not Becker, had ordered a policeman stationed in Rosenthal's gambling place after Becker had indicated the defense of Rosenthal was being raised.

Police Lieutenant Becker's defense to the charge of instigating the murder of Rosenthal is that Rosenthal was murdered at the behest of other gamblers who hated him as a meddler and informer to the police.

John Hart, Becker's lawyer, in presenting his case to the jury so declared to-day, adding that he would prove Becker "not only not guilty, but absolutely innocent."

"We will prove," Mr. Hart said, "that Webber, Rose, Vallon and Schepps conspired independently of Becker, and with independent motives, to murder Rosenthal. After Rosenthal was murdered and they were rid of one of the two men they hated most in the world, they conspired to get rid of Becker, the other man by false evidence and perjured testimony."

Mr. Hart added that the defendant had no connection with the gunmen and that Rose, Vallon and other alleged conspirators had admitted Becker's innocence. As to Jack Rose, Mr. Hart declared the defense expected to prove he "had lied on the stand in almost every particular."

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WIDOW SHOCKED WHEN HUSBAND RETURNS HOME

Danny Fitz Comes Back After an Absence of Ten Years.

WIFE DECLINES TO SEE HIM NOW

Disappeared in 1902, Woman's Application for Divorce in 1904 Being Dismissed When Court Was Convinced That He Was Dead—Had Body Moved.

Believed to have been killed ten years ago by a train near Bluefield, W. Va., Daniel J. Fitzpatrick, forty-eight years old, a blacksmith, returned to Richmond on Sunday to find that his wife, Mrs. Lula Fitzpatrick, of 805 North Twenty-third Street, refused to see him. When he deserted her she was forced to seek employment in a factory to support herself and three children, all girls.

Fitzpatrick's return was as sudden as his departure, and when he appeared in Fulton and on Church Hill, where he was well known, he astounded many former friends and associates, who thought him dead. He sought a reconciliation with his wife through the latter's mother, but all of his efforts to see her were futile. Mrs. Fitzpatrick told a reporter for The Times-Dispatch last night that she would have nothing further to do with him, as he deserted her, and she had applied to the courts for a divorce.

Divorce Hearing Stopped. The divorce, however, was never granted, the case being dismissed in 1904, when it was apparently shown that Fitzpatrick had been living in the mountains of West Virginia. In fact, so certain were his relatives that he had met death in a railroad accident that his brother, Michael Fitzpatrick, a mine foreman, sought the grave where he was said to have been buried, and had the body disinterred and placed in a cemetery.

Mrs. Fitzpatrick was so excited over her husband's return that she could hardly describe the circumstances of his departure. She separated from him, she said, nearly two years before he first left Richmond.

Why They Separated. This, according to her story, she was forced to do, because of his desire for drink. She did not condemn or criticize him, merely saying that he was a victim of an unfortunate habit which had conquered him. Their first wife of married life she described as happy. His disposition was kindly, and he was regarded as a splendid workman. But when his appetite for liquor grew, she declared she was compelled to leave him and obtain employment.

During her father's strange absence his eldest daughter, married, and is now Mrs. Edie Gantt, and with her mother makes her home with her mother. The other two children, Lydia, fifteen, and Louise, fourteen, have never seen their father to recognize him.

For the second time Fitzpatrick left Richmond in company with a man known as Phil Harris ten years ago.

Brought News of a Train. While attempting to board a train, according to subsequent reports, he lost his balance and was crushed to death beneath the wheels. Harris is said to have dragged the body from the tracks and removed it to a nearby woods, where he buried it.

Later Harris met a friend from Richmond while in Kentucky, and informed him of Fitzpatrick's tragic "death." In the meanwhile, Mrs. Fitzpatrick applied to the law, and Equity Court here for a divorce. The friend returned from Kentucky, and told Mrs. Fitzpatrick of her husband's "death." He was confident, and upon his testimony, the divorce suit was dismissed.

During his long absence, Fitzpatrick has traveled far and wide. He visited Chicago and many cities in the West, and spent considerable time in Canada. He came to Richmond from a small town in the upper part of New York State.

Although his efforts to have his wife return to him have failed, Fitzpatrick, it is understood, has determined to remain in Richmond. He is ready to go to work and enlisted the services of former friends to obtain employment. In the meanwhile he is making his home in a boarding house in Fulton.

Death Reported to 1904. A published account of Fitzpatrick's "death" appeared in The Times-Dispatch of May 15, 1904, and was as follows:

"A remarkable case of a wife suing for a divorce from her husband, after he had been dead nearly two years, has just come to light in a Richmond case. The story is rich in human interest. It deals with a man's desertion of his wife and two little girls when they were in their infancy. It follows him to a tragic death under the wheels of a railroad train, and to a lonely and unmarked grave in the mountains of another State. It turns again to find the wife, earning her daily bread in a factory, seeking to free herself in the courts of the ties which a higher court had already broken."

About five years ago, Daniel J. Fitzpatrick, a well known man of Church Hill, left his wife and three daughters. The wife before her marriage was Miss Louise Martin.

"For several years after their marriage life was happy for them both, and they had a pretty little home on Twenty-fifth Street. But Fitzpatrick took to drink, failed to provide for his family and finally went away. About two years ago he was reported to have been killed by a train on his way to get his wife to return to him."